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BEFORE THE UTAH INSURANCE COMMISSIONER

<p>UTAH INSURANCE DEPARTMENT, Complainant, vs. TAMI DELONG, Respondent.</p>	<p>NOTICE OF AGENCY ACTION AND ORDER</p> <p>Docket No. 2022-4422</p> <p>Donald H. Hansen Administrative Law Judge/Presiding Officer</p>
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NOTICE OF AGENCY ACTION

The Utah Insurance Department (“the Department”) commences this agency action as an informal adjudicative proceeding against Tami Delong (“Respondent”) pursuant to Utah Code § 31A-2-201 and 63G-4-201 through -203 and to Utah Admin. Code R590-160.

This agency action is based on the facts and law set forth in the attached Declaration and is designated as an informal adjudicative proceeding pursuant to Utah Code § 63G-4-202(1) and Utah Admin. Code R590-160-4 and -8.

ORDER

Based on the facts and the law set forth in the attached Declaration, and good cause appearing, the Utah Insurance Commissioner orders as follows:

1. Respondent's non-resident producer individual insurance license number 1886107 is revoked.

2. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-8(1), this informal adjudicative proceeding shall be deemed closed, and this Order shall become final and take full effect, 15 days after this Notice of Agency Action and Order is emailed to Respondent unless a request for a hearing on this matter is received from Respondent prior to that date.

3. A request for a hearing shall be in writing and sent by email to uidadmincases@utah.gov or by U.S. mail to Office of the Administrative Law Judge, Utah Insurance Department, 4315 S. 2700 W., Suite 2300, Taylorsville, UT 84129. The request for hearing shall be signed by the person making the request and shall state the basis for the relief requested.

4. If you fail to request a hearing you will be bound by this Order. Failure to request a hearing will be deemed a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

DATED this 25th day of August 2022.

JONATHAN T. PIKE
Utah Insurance Commissioner

/s/ Donald H. Hansen
DONALD H. HANSEN
Administrative Law Judge/Presiding Officer
Utah Insurance Department
4315 S. 2700 W., Suite 2300
Taylorsville, UT 84129
Telephone: 801-957-9321
Email: uidadmincases@utah.gov

NOTICE REGARDING ENFORCEMENT OF THE ORDER

Failure to obey this Order may subject you to further penalties that include a forfeiture of up to \$5,000 per violation, with each day of the violation constituting a separate violation. Other penalties for failing to obey this Order may include license suspension, probation, refusal to renew, or revocation. Failure to obey this Order may also result in an action taken against you in a court of competent jurisdiction where forfeitures of up to \$10,000 for each day the failure to comply continues until judgment is rendered. If you are licensed in other jurisdictions, you may be required to report this proceeding in those jurisdictions.

DECLARATION

Under criminal penalty of Utah law, I, Tracy L. Klausmeier, declare the following:

1. I am currently employed as Director of the Property and Casualty Division with the Utah Insurance Department (“Department”) where my responsibilities include investigating and enforcing Utah insurance laws.

2. I submit this Declaration as the basis for issuing the Notice of Informal Adjudicative Proceeding and Order against Tami Delong (“Respondent”) to which this Declaration is attached.

3. Based on my personal knowledge and/or based on the facts appearing in the Department’s records and files, the following facts are true:

a. Respondent is a Utah non-resident producer individual insurance licensee.

Respondent’s Utah license number is 1886107.

b. Under Utah Code § 31A-2-202(4)(a), Respondent is required to reply promptly in writing or in other designated form to a reasonable written inquiry from the commissioner.

d. On February 11, 2022, the Department received notice that an administrative action had been taken against the Respondent in Wisconsin. Subsequent investigation uncovered administrative actions, either suspending or revoking Respondent’s licenses, had also been taken against the Respondent in multiple other jurisdictions, including Indiana, Pennsylvania, South Dakota, and Washington.

e. The Respondent failed to report the actions to the Department as required pursuant to Utah Code § 31A-23a-105(2).

f. On March 9, 2022, Royalyn Andrus (Andrus), a producer licensing specialist with the Department’s Financial Regulation and Licensing Division, sent a letter of inquiry to the

Respondent via email at [REDACTED], the Respondent's email address on record. The letter requested information regarding the administrative actions taken against the Respondent in other jurisdictions.

g. Respondent failed to respond to the Department's March 9, 2022, request for information. Andrus referred the matter to the Market Conduct Division on March 23, 2022.

h. On July 11, 2022, Tracy Klausmeier, Director of the Property and Casualty Division, sent a certified letter to the Respondent's Florida business address on record. A copy of the letter was also emailed to the Respondent at her email address on record.

i. On July 11, 2022, Tracy Klausmeier received an email response from the Respondent indicating that she no longer worked for the insurance company and requested the Department stop contacting her. Tracy Klausmeier informed the Respondent that because she still had a valid license with the Department, the Respondent would need to respond to the Department's request for information. The Respondent was also advised that if she was no longer working in the insurance industry, she could contact the Department and surrender her license.

j. On July 18, 2022, the certified letter was returned as "insufficient address". The certified letter was not resent, because the Respondent was corresponding via email with Tracy Klausmeier, confirming that Respondent had a copy of the letter.

k. Respondent failed to respond to any of the requests for information sent via email or post from the Department.

4. The above declared facts demonstrate that the following Utah insurance law(s) were not complied with:

a. Utah Code § 31A-2-202(4)(a) by not replying promptly in writing or in other designated form to a reasonable written inquiry from the commissioner.

b. Utah Code § 31A-23a-111(5)(b)(ii)(A) by violating an insurance statute as outlined above.

c. Utah Code § 31A-23a-111(5)(b)(ii)(B) by violating an insurance rule that is valid under Subsection 31A-2-201(3) as outlined above.

d. Utah Code § 31A-23a-111(5)(b)(xvi)(B) by in the conduct of business in this state or elsewhere demonstrated incompetence, untrustworthiness, or financial irresponsibility.

e. Utah Code § 31A-23a-111(7)(a) by failing to immediately report to the commissioner a revocation, suspension, or limitation of the person's license in another state.

5. Based on Utah Code § 31A-2-308 and other similar enforcement cases, the Respondent's insurance license should be revoked.

DATED this 24th day of August 2022, at Salt Lake City, Salt Lake County, Utah.

/s/ Tracy Klausmeier

Tracy Klausmeier, Examiner
Utah Insurance Department

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date a true and correct copy of the foregoing Notice of Agency Action and Order, with the Declaration attached to it, was sent to:

Tami Delong
[REDACTED]

and

Tracy Klausmeier
Utah Insurance Department
[REDACTED]

DATED this 25th day of August 2022.

/s/ Jeanine Couser _____
Jeanine Couser
Utah Insurance Department
4315 S. 2700 W., Suite 2300
Taylorsville, UT 84129
801-957-9321